

Docket No.: 1359.1042

Serial No. 09/808,004

**REMARKS**

In accordance with the foregoing, the pending claims 1-10 have been amended to clarify salient features in the invention and no new matter is presented. Approval and entry of the foregoing amended claims 1-10 are respectfully requested.

**STATUS OF CLAIMS**

Claims 1-10 are pending herein and all thereof are rejected.

**PAGES 2-4: REJECTION OF CLAIMS 1, 4, AND 7-10 FOR ANTICIPATION UNDER 35 U.S.C. §102(e) BY SCOTT ET AL. (U.S. PATENT 6,484,260); AND**

**PAGES 4-10: REJECTION OF CLAIMS 2, 3, 5 AND 6 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) OVER SCOTT ET AL. IN VIEW OF GRESSEL (U.S. PATENT 6,311,272)**

The rejections are respectfully traversed.

Scott discloses a personal identification device (PID)6 (see FIG. 3) provided with a biometric sensor (see FIG. 6). According to Scott, biometric information is obtained by the (PID)6, and the obtained biometric information is compared with registered (or stored) information, whereby a registered user is identified. More specifically, according to Scott, a user is required to carry the PID, provided with a biometric sensor, with the user.

**CLAIM 1**

In contrast, according to the invention defined by claim 1, the user is not required to carry about the biometric sensor. According to the invention defined by claim 1, the user carries about a recording medium; however, biological information is not obtained by an apparatus held by and carried about by the user but, instead, by first and second biological information obtaining parts respectively provided in an owner registration apparatus and an owner confirmation apparatus, each thereof placed in the facility. Biological information obtained in the first biological information obtaining part is registered, or recorded, in a recording medium at a time of a first presentation of the recording medium in the facility. Then, at a time of a second, later presentation of the recording medium in the same facility, second biological information is obtained in the second biological information obtaining part of the owner confirmation apparatus and is compared with the first biological information registered in the recording medium, whereby the owner of the recording medium using the facility may be identified and confirmed by accessing the recording medium and performing the comparison, as noted.

By contrast, in the case where the owner at the time of the first presentation of the recording medium is not the same as the owner at the time of the second and later presentation

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of the recording medium, it can be determined that the recording medium may have been lent or taken by another, without authorization, and is being used illicitly to gain access.

Gressel discloses that a user carries about a smart card in which the biometric information of the user is previously registered, and biometric information obtained at a time of authentication is compared with the biometric information registered in the smart card, whereby the owner of the smart card is identified. That is, according to Gressel, the user is required to previously register the biometric information of the user in the smart card and then to carry the smart card with the registered bioelectric information of the user therein for future authentication.

In contrast, to the systems of Scott and Gressel, and according to the invention defined by claim 1, the user is not required to previously register the biometric information of the user in a recording medium before using the facility, for the following reason. As described above, biological information is obtained in the first biological information obtaining part of the owner registration apparatus in the facility and registered, or stored, in a recording medium, at a time of the first presentation of the recording medium at the facility.

#### CLAIM 4

In contrast to the disclosure of Scott, and according to the invention as defined by claim 4, the user is not required to carry about the biometric sensor. According to the invention defined by claim 4, the user carries about a recording medium; however, biological information is not obtained by an apparatus held by the user, but by the first and second biological information obtaining parts respectively provided in the owner registration apparatus and the owner confirmation apparatus, both of which are placed in the facility. Biological information obtained in the first biological information obtaining part is recorded, or registered, in a database so as to be associated with an identifier read from the recording medium at a time of a first presentation of the recording medium in the facility. Then, when the recording medium is presented at a second, later time in the same facility, biological information obtained a second time by the second biological information obtaining part is compared with the biological information recorded in the database so as to be associated with the identifier read from the recording medium, whereby the owner of the recording medium using the facility is identified.

Gressel discloses that a user carries about a smart card in which the biometric information of the user is previously registered, and biometric information obtained at a time of authentication is compared with the biometric information registered in the smart card, whereby the owner of the smart card is identified. That is, according to Gressel, the user is required to previously register the biometric information of the user in the smart card.

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In contrast to Scott and Gressel and according to the invention defined by claim 4, the user is not required to previously register the biometric information of the user in a recording medium before using the facility. As described above, biological information is obtained by the first biological information obtaining part of the owner registration apparatus, placed in the facility, and registered in a database at a time of the first presentation of the recording medium in the facility, and biological information is obtained a second time in the second biological and second biological information obtained again by the second biological information obtaining part of the owner confirmation apparatus and compared with the first biological information thereby to confirm validity of the owner seeking use of the facility.

**CONCLUSION**

In accordance with the foregoing, it is submitted that pending claims patentably distinguish over the references of record and, there being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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